

DEC 30 2005

REMARKS/ARGUMENTS

The Applicant originally submitted Claims 1-19 in the application. In a previous response, the Applicant amended Claim 14 and added Claim 20. In the present response, no claims have been amended, added or canceled. Accordingly, Claims 1-20 are currently pending in the application.

I. Rejection of Claims 1, 3-6 and 8-13 under 35 U.S.C. §102

The Examiner has rejected Claims 1, 3-6 and 8-13 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,635,088 to Hind, *et al.* The Applicant respectfully disagrees since Hind does not teach recognizing to what extent a message is capable of being discerned or parsing messages to determine if messages are decipherable as recited in independent Claims 1 and 6, respectively.

Hind is directed to reducing the size of documents employing compression techniques. (See Hind, column 1, lines 8-12.) In the Background, Hind discusses XML is a tag language and defines a tag as a keyword that identifies what the data is which is associated with the tag. (See column 1, lines 15-34.) When an application generates the tags (and corresponding data) for a file according to a particular data model and transmits that file to another application that also understands this data model, the XML notation functions as a conduit, enabling a smooth transfer of information from one application to the other. The receiving application can then process data from the transmitted files as intended by the generating (transmitting) application. (See Hind, column 1, lines 50-62.) Hind also discloses in the Background that Document Type Definition (DTD) may be used with XML files and encoded in a file which is intended to be processed. The

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DTD informs the parser how to interpret the document which was created according to the DTD.
(*See Hind*, column 1, line 63 to column 2, line 2.)

Even though *Hinds* concentrates on compressing files including locating and substitutes tags for compression (*see Hind*, column 3, line 62 to column 4, line 10), the Examiner asserts that the above Background information in *Hinds* teaches recognizing to what extent a message is capable of being discerned or parsing messages to determine if messages are decipherable as recited in independent Claims 1 and 6. (*See Examiner's Final Action*, pages 2-3.) The above cites of *Hind*, however, address transmitting files between applications that understand the particular data models of the files. Accordingly, there is no need in *Hind* to recognize to what extent a document is capable of being discerned or to determine if messages are decipherable. As such, *Hind* does not teach recognizing to what extent a message is capable of being discerned or parsing messages to determine if messages are decipherable.

Additionally, *Hind* does not teach processing a message to the extent the message can be discerned or processing those messages determined to be decipherable as recited in independent Claims 1 and 6, respectively. Instead, *Hind* discloses a system that employs XML notation to enable a smooth transfer of information between applications. (*See Hind* column 1, lines 57-58.) In other words, *Hind* has no concern with what part of a message can be discerned or deciphered but is concerned with systems that insure information is decipherable and discernable and reducing the size of documents through compression in these systems. Accordingly, *Hind* also does not teach processing a message to the extent the message can be discerned or processing those messages determined to be decipherable.

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Since Hind does not teach each and every element of independent Claims 1 and 6, Hind does not anticipate Claims 1 and 6 and Claims dependent thereon. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §102 rejection with respect to Claims 1, 3-6 and 8-13 and allow issuance thereof.

II. Rejection of Claims 2, 7 and 14-20 under 35 U.S.C. §103

The Examiner has rejected Claims 2, 7 and 14-20 under 35 U.S.C. §103(a) as being unpatentable over Hind in view of U.S. Patent No. 6,738,803 to Dodrill, *et al.* The Applicant respectfully disagrees.

As discussed above, Hind does not teach each element of independent Claims 1 and 6. Hind also does not suggest each element of independent Claims 1 and 6. On the contrary, Hind is not even concerned with determining if a message is capable of being discerned or is decipherable as recited in independent Claims 1 and 6, respectively. Additionally, Hind does not disclose processing a message to the extent the message can be discerned or processing those messages determined to be decipherable as recited in independent Claims 1 and 6, respectively. Instead, Hind discloses employing XML notation to insure a smooth transfer of information from one application to another such that discerning or deciphering is not a concern. (*See* Hind column 1, lines 57-58.) Accordingly, Hind also does not teach or suggest: a tag recognizer configured to determine to what extent a message can be processed by analyzing tags in the message and a controller configured to process the message based on the determination as recited in independent Claim 14.

Dodrill has not been cited to cure these deficiencies of Hind but to teach the subject matter of

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the dependent claims indicated above and "disregarding an unrecognized message" as recited in independent Claim 14. (See Examiner's Final Action, page 5.) Additionally, Dodrill does not cure the deficiencies of Hind but is directed to web browser control of audio operations for voice enable web applications within a hypertext markup language (HTML) and hypertext transport protocol (HTTP) framework. (See column 1, lines 14-17.)

The cited combination of Hind and Dodrill, therefore, does not teach or suggest each and every element of independent Claims 1, 6 and 14. Accordingly, the cited combination of Hind and Dodrill does not provide a *prima facie* case of obviousness of independent Claims 1, 6 and 14 and Claims dependent thereon. The Applicant, therefore, respectfully requests the Examiner to withdraw the §103(a) rejection of Claims 2, 7 and 14-20 and allow issuance thereof.

Furthermore, specifically addressing dependent Claim 20, the Examiner cites Figures 5A and 8 of Dodrill to teach at least one message including multiple portions having tags associated therewith and a tag recognizer and a controller are configured to handle the multiple portions. (See Examiner's Final Action, page 6.) The Applicant does not find, however, where Figures 5A and 8 teach or suggest a tag recognizer and controller configured to process the multiple portions as claimed in dependent Claim 20. Instead, Figures 5A and 8 illustrate that XML tags may provide a set of controls for a plug-in resource. (See column 9, lines 30-32 and column 12, lines 65-66 and Figures 5A and 8.) Thus, Figures 5A and 8 demonstrate there may be multiple XML tags but these figures do not teach or suggest a tag recognizer configured to determine if each of multiple portions are decipherable by analyzing associated tags and a controller configured to process or

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disregard each of the multiple portions based on the decipherable determination as recited in dependent Claim 20.

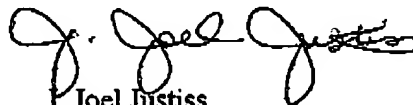
III. Conclusion

In view of the foregoing remarks, the Applicant now sees all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicits a Notice of Allowance for Claims 1-20.

The Applicant requests the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,

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